PB85-214112

Superfund Record of Decision (EPA Region 9) Mountain View/Globe Site, Arizona, June 1983

(U.S.) Environmental Protection Agency
Washington, DC

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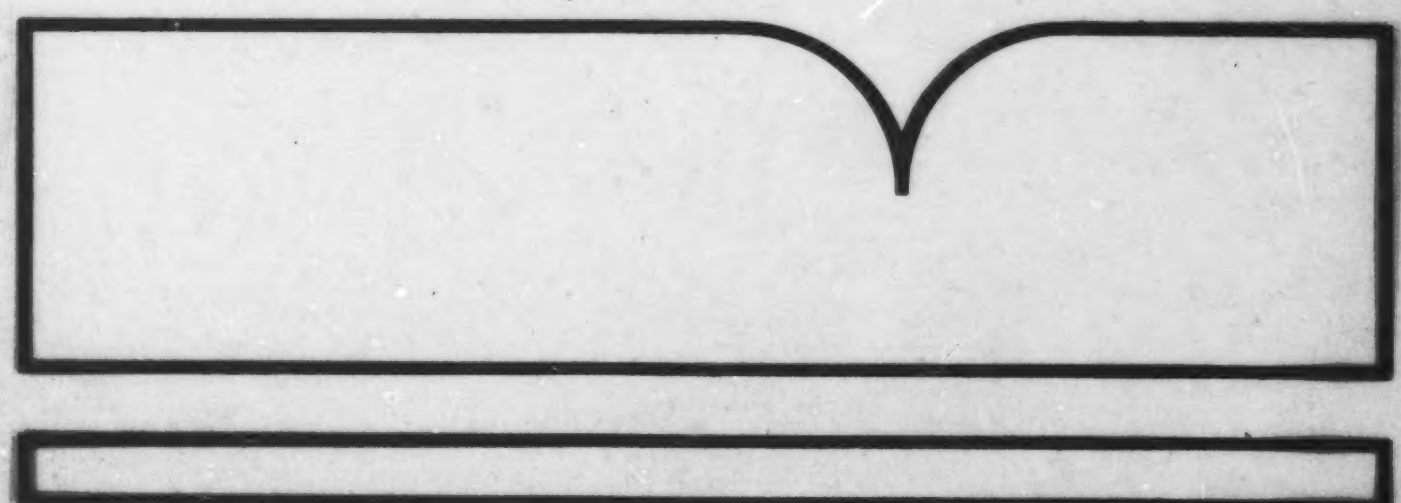

U.S. Department of Commerce
National Technical Information Service

United States
Environmental Protection
Agency

Office of
Emergency and
Remedial Response

EPA/ROD/R09-83/003
June 1983

PB85-214112

EPA

Superfund Record of Decision:

Mountain View/Globe Site, AZ

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16. ABSTRACT

Amountain View Mobile Home Estates site is a residential subdivision of approximately 130 people that was built in 1974 on graded asbestos tailings and contaminated soil at the site of the defunct Metate Asbestos Company mill. The mill processed asbestos ore from 1953 until it was closed in 1974 by permanent injunction of the Gila-Pinal Counties Air Quality Control District for failure to meet air quality standards. Residents of Mountain View Estates are exposed to asbestos fibers from the subdivision's contaminated soil and potentially from the fiber piles of an adjacent asbestos mill. The selected remedial alternative includes permanent relocation of Mountain View residents, cleaning the site and demolishing and burying on-site all of the homes and sewage treatment plant, and site closure by capping, fencing, and periodic inspection and maintenance.

The stimated cost of the remedial action is $4,432,000 which includes the present worth of capital and O&M costs for the project life.

17. KEY WORDS AND DOCUMENT ANALYSIS		
a. DESCRIPTORS	b. IDENTIFIERS/OPEN ENDED TERMS	c. COSATI Field/Group
Record of Decision Mountain View/Globe Site, AZ Contaminated media: air, soil Key contaminants: Asbestos		
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Record of Decision
Remedial Alternative Selection

Site: Mountain View Mobile Home Estates, Globe, Arizona

Analysis Reviewed:

I have reviewed the following documents describing the need for and analysis of the cost effectiveness of remedial alternatives at the Mountain View Mobile Home Estates Site:

- Public Health Advisory for Mountain View Estates, Globe, Arizona, Centers for Disease Control, April 4, 1983

- Final Draft Remedial Investigation/Feasibility Study, Mountain View Mobile Home Estates, Globe, Arizona, May 6, 1983

- Staff summaries and recommendations

- Public Participation Responsiveness Summary

FEMA Determination:

Pursuant to Executive Order 12316, the Federal Emergency Management Agency (FEMA) has determined that permanent relocation is more cost-effective and preferable to other alternatives for protecting the public health or welfare. That determination is attached.

Description of Selected Option:

- Permanent relocation of Mountain View residents

- On-site burial of containerized mobile homes

- Site closure by capping, fencing, and maintenance.

Consistent with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), and the National Contingency Plan, I have determined that the permanent relocation/site closure alternative for the Mountain View Mobile Home Estates Site is a cost-effective remedy, and that it effectively mitigates and minimizes damage to, and provides adequate protection of, public health, welfare, and the environment. I have also determined that the action being taken is appropriate when balanced against the need to use Trust Fund money at other sites.

Lee Thomas
Acting Assistant Administrator
Office of Solid Waste &
Emergency Response

Mountain View Mobile Home Estates Site Remedial Action
Briefing Document

- Purpose of this briefing is to obtain AA approval for the remedial action recommended by Region 9 and the State of Arizona for the Mountain View Mobile Home Estates site.

- Mountain View Mobile Home Estates is a residential subdivision of approximately 130 people that was built in 1974 on graded asbestos tailings and contaminated soil at the site of the defunct Metate Asbestos Company mill. The mill processed asbestos ore from 1953 until it was closed in 1974 by permanent injunction of the Gila-Pinal Counties Air Quality Control District for failure to meet air quality standards.

- Residents of Mountain View Estates are exposed to asbestos fibers from the contaminated soil of the subdivision and potentially from the fiber piles of the adjacent D.W. Jaquay's Mining and Equipment
Corporation asbestos mill.

- In April, 1983, EPA and FEMA agreed to temporarily relocate Mt. View residents while a remedial investigation/ feasibility study (RI/FS) of the site was conducted. The 4 week RI/FS was completed in May 1983, pursuant to a State Superfund contract, and considered the following three alternatives in detail:

Alternative A	Site Abandonment by Permanent Relocation	$4,432,000

Relocation of subdivision residents with subsequent site capping, closure, and maintenance.

Alternative B	Site Rehabilitation with Asbestos Removal	$8,003,000

Temporary relocation of subdivision residents while the contaminated soil is excavated and removed, and the site is restored.

Alternative C	Site Rehabilitation with Deep Cap	$6,151,000

Temporary relocation of subdivision residents while a 10-foot deep cap is placed over the site and the subdivision is restored.

The costs noted above include the present worth cost of both capital and O & M costs for the project life (varied with alternative). Alternative A was the best alternative from economic, technical, and environmental standpoints. Alternative C was the second best alternative, and Alternative B ranked third.

- On May 16, 1983, Region 9 conducted a public meeting in Globe to present the feasibility study report, answer questions, and take public comment. Approximately 125-140 people were in attendence. The Globe community is divided between the Mountain View residents and people who are concerned about asbestos exposure, and a large and very vocal group who maintain that Gila County asbestos is not hazardous to human health. The latter group spoke at the public meeting and maintained that no one in Gila County had suffered adverse health effects from exposure to asbestos and that State and Federal action had ruined the reputation and economic health of the area. Written comments received on the RI/FS have supported permanent relocation as the only way to effectively mitigate the human health threat.

- The voluntary temporary relocation progrm is being administered by the Arizona Division of Emergency Services pursuant to an agreement with FEMA. Twenty-six Mountain View Estates families have applied for temporary relocation and physical movement of the residents began the week of May 16. The estimated costs for Alternative A, site abandonment by permanent relocation, include $97,000 for approximately 4 months temporary relocation while permanent relocation is implemented. The current EPA-FEMA Interagency Agreement for temporary relocation must be amended to transfer funds necessary to continue the temporary relocation past the Record of Decision and until permanent relocation can be effected.

- Mountain View Mobile Home Estates was referred to the Department of Justice on September 30, 1982. On May 13, 1983, DOJ filed in Arizona District Court against Metate Asbestos, the subdivision development corporation and their common officers, and Jaquay's Mining Corporation. We understand that Jack Neal and Geraldine Neal, officers of Metate Asbestos and Neal, Capper, Neal Land and Development Corporation, filed a voluntary petition in bankruptcy under Chapter 7 in February, 1983 and that the first creditors meeting was held in April.

- The recommended alternative includes clearing the entire site and demolishing and burying all of the homes and the sewage treatment plant. It was determined to be much less expensive to bury the mobile homes than to attempt to decontaminate them. Following the home burial, a non-woven filter fabric would be placed over the entire site and the filter media would be covered by 2 feet of compacted earth fill. The surface of the earth would be sloped to drain and seeded with native grasses. Periodic inspection and maintenance of the cap would be required. Permanent relocation of Mountain View residents would be effected by direct government purchase of their homes and property. Residents would then be able to purchase other homes in the Globe area or elsewhere. Extension of the present temporary relocation will be required until purchase prices

were negotiated and title tranfers completed. It is not clear whether title to the property would revert to the Federal or State or local governments or other parties.

- The "Record of Decision" certifies that:
  - the selected remedial action is a cost-effective, technically feasible, and environmentally acceptable remedy for the site.
  - monies are available in the Fund to finance the remedy.
  - because the selected remedy involves relocation of Mountain View residents, the Federal Emergency Management Agency must give final approval to the project.

Remedial Implementation Alternative Selection
Mountain View Mobile Home Estates
Globe, Arizona
May 24, 1983

Background

Mountain View Mobile Home Estates is located 75 miles east of Phoenix in east-central Arizona in Globe, Gila County. The 17-acre mobile home subdivision was developed in 1973 at the site of the Metate Asbestos Corporation chysotile asbestos mill. The mill processed asbestos ore for approximately 20 years until it was found to be in violation of EPA Air Quality Standards and ceased operations by order of the Air Quality Control District. Before the 1973 temporary injunction of the Air District became permanent in 1974, Jack Neal, owner of the Metate Asbestos, obtained a rezoning of the property to residential use. Metate Asbestos tailings and contaminated soil were used as landfill to level the site and the area was subdivided into 55 lots, 47 of which were eventually occupied by approximately 130 residents.

Asbestos contamination of the soil of the subdivision was discovered in October 1979 by State and local health officials inspecting the Mountain View wastewater disposal system. Subsequent sampling of air and sediment of the subdivision confirmed the presence of asbestos fibers.

On November 30, 1979, the Arizona Department of Health Services (ADHS) sent residents a letter apprising them of the health hazard and recommending they take immediate measures to minimize their personal exposure risk. On December 13, 1979, ADHS ordered Metate Asbestos and several other mills in the Globe area, including the Jaquays Mining and Equipment Corporation asbestos mill directly adjacent to the Mountain View subdivision, to submit clean-up plans for their sites. The plans were to be implemented during the spring of 1980. In January 1980, the Assistant Surgeon General of the United States recommended that all the residents of Mountain View Estates be immediately evacuated. Governor Bruce Babbitt declared the site to be in a state of emergency on January 16. Two days later a letter was sent to residents with instructions for temporary relocation to State owned housing on a voluntary basis. Temporary housing was provided by the Arizona Division of Emergency Services from January through March 1980 while resident's homes were decontaminated. Actual mitigation measures taken during the relocation included demolition and on-site burial of the vacant Metate mill building and the installation of six-inch protective soil covering over portions of the site. Following completion of the State's emergency measures, Mr. Neal

resumed the commercial sale of subdivision lots.

In the Fall of 1981, reports that the partial soil cover at Mountain View Estates was eroding and exposing asbestos fibers caused ADHS to look for a more permanent remedy for the site. In July 1982, Mountain View Mobile Home Estates was designated to be Arizona's highest priority site for purposes of the amended Interim Priorities List.

Because Mountain View Estates was considered to be a mining waste site, subsequent actions taken were consistent with the Agency's mining waste policy. Mountain View Estates was referred to the Department of Justice on September 30, 1982 and Notice Letters to potentially responsible parties followed. In responses to the Notice Letters and to subsequent RCRA §3007/ CERCLA §104 requests for information, the parties denied any responsibility for hazardous conditions at the site and declined to negotiate.

In the Fall of 1982, the Region requested remedial investigation/feasibility study (RI/FS) funds for a field investigation of the site to support the enforcement effort. $190,000 in Superfund monies were allocated in January 1983 for a 6-month RI/FS. In March of 1983, the RI/FS was accelerated into a 30-day investigation. The investigation commenced April 4, 1983 and a draft report was presented to Federal and State officials May 2. The final draft RI/FS report was published May 6.

During the RI/FS activity, EPA and FEMA offered to temporarily relocate Mountain View residents on a voluntary basis pending a decision on the permanent remedy for the site. $100,000 in Superfund monies were transferred to FEMA to fund the relocation and a Cooperative Agreeement between FEMA and the Arizona Division of Emergency Services was negotiated to effect the voluntary relocation.

Current Status

Residents of Mountain View Mobile Home Estates continue to be exposed to chysotile asbestos fibers both from the contaminated soil on-site and also potentially from airborne fibers from the adjacent and sporadically active Jaquay's mill. Direct contact by children is the greatest concern because their life expectancy exceeds the prolonged latency periods for asbestos-related disease.

The final draft remedial investigation/feasibility study report published by CH2M Hill on May 6, 1983 evaluated the following alternatives for Mountain View Mobile Home Estates:

Alternative A:	Site abandonment by permanent relocation	$4,432,000
Alternative B:	Site rehabilitation with asbestos removal	$8,003,000
Alternative C:	Site rehabilitation with deep cap	$6,151,000

In addition to being the most cost-effective remedial action, Alternative A is also the superior option in terms of protection of public health and the environment and technical feasibility.

On May 16, 1983, Region 9 held a public meeting in Globe to present the RI/FS report and hear public comment. The comment period on the report opened May 9 and closed May 23. Eight persons, three of whom are responsible parties in EPA enforcement actions, made statements at the meeting. The universal theme of the comments was that Gila County chrysotile asbestos is not hazardous, that no one has suffered adverse health effects from exposure to Gila County asbestos fibers, and that a health study should be conducted before any remedial action is taken at Mountain View Estates. Of the 22 written comments received by the Region, 14 support permanent relocation at Mountain View Estates and one letter from the San Carlos Apache Tribe requests a study of Gila County asbestos and Apache miners and millers.

The relocation of the first Mountain View residents under the temporary program took place May 17, 1983. The funding for temporary relocation, transferred to FEMA through a Interagency Agreement (IAA) with EPA, is currently scheduled to terminate with signature of the Record of Decision (ROD). The IAA should be amended to continue the temporary relocation program until permanent relocation is implemented. The study's $4.4 million cost estimate for permanent relocation includes $97,000 for 4 months temporary housing pending negotiation and property transfer required for permanent relocation.

On May 13, 1983, the Department of Justice filed against Metate Asbestos Corporation, Jaquay's Mining Corporation, and the developers of Mountain View Mobile Home Estates in United States District Court for the District of Arizona. The complaint seeks injunctive and other relief under CERCLA §106 and §107 and under the Clean Air Act §303.

Recommended Alternative

Section 300.67(j) of the National Contingency Plan (NCP) States that the appropriate extent of remedy shall be determined by the lead agency's selection of the remedial alternative which the agency determines is cost-effective (i.e., the lowest cost alternative that is technologically feasible and reliable) and which effectively mitigates and minimizes damage to and provides adequate protection of public health, welfare, or the environment. Based on our evaluation of the cost-effectiveness of each of the proposed alternatives, the comments received from the public, information from earlier technical studies, and information from the State, we recommend that the Site Abandonment by Permanent Relocation alternative described in the RI/FS report be implemented.

The proposed remedial action includes a 4 month temporary relocation, permanent relocation of Mountain View residents by purchase of their lots and homes, burial of the contaminated mobile homes on-site, and subsequent site capping, closure, and maintenance.

Total capital costs are attached. Present value of O&M and Capital Replacements Expense calculated at a 10% discount rate is $99,000.

Proposed Action

We request your approval of site abandonment by permanent relocation as the remedial implementation option for the Mountain View Mobile Home Estates Site.

Responsiveness Summary

Mountain View Mobile Home Estates

Remedial Investigation/Feasibility Study Final Draft

Background

Mountain View Mobile Home Estates in Globe, Arizona appeared on the EPA's expanded Interim Priorities List in July 1982 as Arizona's highest priority site and is included on the proposed National Priorities List of Superfund sites published in December 1982.

In April 1983, EPA's zone contractor, CH_2M Hill, began a four week remedial investigation/feasibility study (RI/FS) of the Mountain View Mobile Home Estates subdivision. The remedial investigation, which included soil sampling to determine the extent of asbestos contamination of the soil and an assessment to determine the approximate value of the homes and property, was conducted to provide information necessary to evaluate remedial alternatives for the site. The feasibility study evaluated three options for remedial action:

Alternative A - Site abandonment by permanent relocation;

Alternative B - Site rehabilitation by removal of contaminated soil; and

Alternative C - Site rehabilitation by deep cap.

The study concluded that permanent relocation was the most cost-effective, technically feasible, and environmentally acceptable remedial action.

On April 7, 1983, the Region met with local officials, concerned citizens, and Mountain View Estates residents in Globe to explain the RI/FS. The on-site field work by CH_2M Hill commenced the following day and was completed April 15. The final draft RI/FS report was released to the public on May 9. Copies were distributed to Federal, State, and local officials, and several copies were sent to Mountain View Estates for distribution among the residents. Four repositories were established for public review of the report: the Globe City Hall; the Globe Public Library; the Arizona Department of Health Services Library in Phoenix; and the EPA Region 9 Library in San Francisco. A Press Release issued by the Region on May 6 announced the availability of the report, the repository locations, the public comment period of May 9 through May 23, and the public meeting on the report scheduled by EPA for May 16. Notice of the repository locations, the two-week comment period, and the May 16 public meeting were also included in cover letters

accompanying the RI/FS report and in a letter sent to each of the residents of Mountain View Estates (copies attached).

Comments

The Region received a total of 30 sets of comments on the report and the recommended remedial alternative of permanent relocation. Eight individuals made oral statements which were recorded at the public meeting held May 16. The remaining sets of comments were letters or written statements transmitted to the Region 9 office. A list of commentors, copies of written statements, a transcript of the public meeting, and a list of individuals who filled out cards at the public meeting requesting that they be added to the EPA mailing list are attached.

Generally, the comments received on the RI/FS report and the recommended remedial action fall into two categories:

Persons who support permanent relocation of Mountain View Estates residents and urge EPA to implement relocation as soon as possible; and

Persons who believe that Gila County asbestos is unique, is not hazardous to health, and has not caused any adverse health effects in Gila County. These commentors urge EPA and the State to delay implementation of remedial action at Mountain View Estates until a health study of Gila County is conducted. Several persons felt that the governmental action was precipitated by emotional rather than scientific decision-making and were concerned about the negative impact of the government action on the economy of Gila County. They felt that no remedial activity should take place at Mountain View Estates.

Response

It is the recommendation of EPA Region 9, the Honorable Bruce Babbitt, Governor of Arizona, and the Arizona Department of Health Services, that site abandonment by permanent relocation of Mountain View residents be selected as the permanent remedy for Mountain View Mobile Home Estates. This option was selected because it is the most cost-effective and technically feasible alternative and it provides the greatest protection to public health. The estimated relative cost for site abandonment by permanent relocation and site stabilization is $4,432,000 compared to $8,003,000 for site rehabilitation by removal of contaminated soil and $6,151,000 for site rehabilitation by deep cap. Permanent relocation is also the most easily accomplished alternative from a technical perspective. The site rehabilitation options would both require that the mobile homes be transported and disposed of off-site and once implemented, would involve long-term, continuous monitoring of airborne asbestos concentrations at Mountain View Mobile Home Estates from potential off-site sources.

Site rehabilitation would also require re-installation of utilites, streets, foundations, and landscaping. Most importantly, permanent relocation offers the greatest protection for public health. While all three alternatives would protect subdivision residents from exposure to asbestos from homes and soil, the permanent relocation option would protect residents from exposure to airborne asbestos blown on-site from surrounding contaminated land.

In situations involving public health assessments, EPA relies on the Department of Health and Human Services, Public Health Service, Centers for Disease Control (CDC) for professional guidance. The role of CDC in the Superfund program is established by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Executive Order 12316, and the National Contingency Plan.

A memorandum titled "Community Asbestos Exposure in Globe, Arizona" prepared by the CDC Chronic Exposure Division in August 1981 states:

> Both human and animal studies have shown that chrysotile asbestos, the form present in Globe, is fibrogenic and carcinogenic. This conclusion has been reviewed and supported in official publications of the World Health Organization's International Agency for Research on Cancer, 1976...; NIOSH/CDC in its Revised Recommended Standard for Occupational Exposure to Asbestos, 1976...; and the Asbestos Advisory Committee, Health and Safety Commission, United Kingdom, 1979... Although review of the epidemiologic literature suggests that there are differences in the degree of fibrogenicity and carcinogenicity of the various asbestos fibers...(the new British standard, for example, is more stringent for crocidolite and amosite asbestos fibers than for chrysotile), there is no reason to minimize the health risks posed by chrysotile asbestos. Recent reports of experimental animal studies...and human epidemiologic studies...continue to show a positive correlation between exposure to chrysotile asbestos and disease, including asbestosis, lung cancer, and mesothelioma.
>
> In the particular situation of this housing subdivision in Globe, there was heightened concern because of the ready availabilty of asbestos to children and other residents, the high respirability of the milled fibers, and the continuing environmental contamination from the mill sources. Children are of particular concern, because they were observed playing directly with tailings and because their long life expectancy exceeds the prolonged latent periods for asbestos-related disease.

Information provided by commentors that Gila Country chrysotile asbestos has not caused adverse health effects was reviewed by

and CDC Medical Epidemiologist. The review states:

> The conclusions based on studies of small groups of living workers are...misleading, as studies of this type are flawed by low statistical power and selection bias. The proper way to evaluate cancer mortality is to identify all former and current workers of an industry, and then ascertain their morbidity or mortality experience through pathology reports or death certificates. Morbidity and mortality data can then be compared to national rates adjusted for age and person-years at risk. A study of currently employed workers would not identify those workers who had died of cancer already, or those who had to leave work because of this disease. For all epidemiologic studies of occupational groups, the statistical power of the analysis must be specified, for there may be a strong chance of getting negative results even though an elevation in disease rate has been caused by exposure to a human carcinogen...

The review also states that cancer mortality data for a single year cannot be cited as evidence that chrysotile asbestos is not related to disease:

> ...This argument is misleading for a number of reasons. County-wide mortality may dilute specific disease increases that occurs in small groups within the country. Likewise, deaths from all cancer may disguise the increase of cancer from a single site. The reporting of mortality data for a single year is also misleading, as a definite trend toward increase or decrease in mortality may be occurring, but could not be detected by data for a single year.
>
> ...The evaluation of cancer mortality based on insurance claims is not a scientifically acceptable technique, and could lead to gross errors. Many workers are unaware of the exposures that may cause cancer, and state laws often require compensation cases to be filed within one year of leaving a job - a regulation that would minimize compensation for all asbestos-related disease.
>
> The attempt to establish a causal relationship between an environmental exposure and a disease is very difficult utilizing county mortality data, or data from small groups of exposed workers. These types of data can only be used with confidence where extremely large segments of the population are exposed to an agent that has a strong influence on mortality from specific causes; or where a large sample of expsosed workers can be adequately studied. Neither of these criteria can even be met for the area

around Globe, Arizona. In this case, epidemiologists prefer to use data from well-designed occupational and environmental studies to infer risks for disease.

The review specifically addresses conditions at Mountain View Estates:

> From a public health standpoint, one is concerned about worst case exposure conditions. That is, conditions under which a person may receive the greatest exposure and thus be at risk for disease. The comparison of average atmospheric asbestos concentrations at Mountain View Estates to those of cities in other areas may therefore be inappropriate, as unless there is a defininte source of asbestos with variable input into the environment, the average conditions of other locations will differ little from maximum conditions. At Mountain View Estates, however, certain conditions could cause substantial elevations above the average.
>
> Asbestos exposure at Mountain View Estates is also unique in that residents are now exposed to buried tailings for much longer period of time than are people who frequent businesses or other public places on a less regular basis. Likewise, the fact that children reside in this community and may be subject ot elevated exposure through recreational activities and long residence periods also is an additional cause for concern.
>
> The argument that the exposure levels for Mountain View Estates are too low to result in disease is also to be questioned. In the first place, there are no adequate data for the establishment of a dose-response relationship in the low dose range. The documentation of disease in family contacts of asbestos workers and the detection of mesotheliomas in workers with short asbestos-related work histories both support a cautious approach toward protection of the public from exposures of this sort.

The information on chrysotile asbestos provided by the Centers for Disease Control had led EPA to the conclusion that a serious public health risk exists at Mountain View Mobile Home Estates and that a study of Gila County asbestos would not provide significant new information to warrent a delay of the implementation of a permanent remedy for the site.

Specific Comments and Responses

In addition to the major comments reviewed above, other comments were received as follows:

- A resident of Mountain View Estates was concerned that the government reimbursement for their homes and property would not be sufficent to permit them to find acceptable housing

elsewhere.

The actual determination of reimbursement will be negotiated between the residents and the Arizona Division of Emergency Services and the Federal Emergency Management Agency. The relocation will be conducted pursuant to the Relocation Assistance and Real Property Acquisition Policy Act of 1970, Public Law 91-646. In addition to a fair market reimbursement to be negotiated between the parties, guidelines for implementation of the Act provide for a relocation allowance to assist relocated families to secure housing.

° An attorney contacting the Agency on behalf of a client stated that burial of the trailers on-site would be wasteful and offered to purchase the trailers for $100.00 each. The homes would be decontaminated and "...sold only to persons over seventy years of age or persons who are presently terminally ill."

The mobile homes are to buried on-site because it was determined that decontamination would be labor-intensive, time-consuming, and more expensive than purchasing new mobile homes. Further, because the permanent relocation process will transfer ownership of the homes to the State or Federal governments, it is doubtful that liability considerations would permit re-sale.

° Attorneys representing 27 Mountain View Estates families commented that the report does not address "...the costs of epidemiological studies, development and maintenance of a registry of persons exposed to the asbestos to allow for the long-term health effects studies, and...diagnostic or other services to monitor the health of residents and of the subdivision."

Health monitoring programs would be conducted by the Centers for Disease Control. CDC is currently considering long-term monitoring of Mountain View residents.

° Attorneys were also concerned that provision be made for decontamination of personal items or reimbursement or replacement of those items which cannot be decontaminated or moved with the residents.

This concern is currently being addressed by the Federal Emergency Management Agency.

° Attorneys requested that provision be made for payment of resident's legal fees associated with pending litigation against responsible parties and claims made pursuant to CERCLA.

It should be noted that the administration and legal expense to which reference is made in Table 5-1 at page 32 of the study refer to the expenses incurred by the government. In addition, review of CERCLA and it's legislative history fail to establish that the Act was intended to provide for payment from the Fund of private parties attorney's fees.

- An attorney representing 17 Mountain View residents suggested various changes to the wording of the report to clarify certain points.

While we will not be revising the report, the comments are attached and have been considered.

Attachments

List of Commentors

Written Statements:

*Letter from the Honorable Bruce Babbitt, Governor of Arizona, dated May 11, 1983, received by Region 9 May 13, 1983.

*Letter from Irene Burrington, dated May 11, 1983, received by Region 9 May 16, 1983.

*Letter from Thomas W. Henderson, Baskin and Sears, P.C., dated May 13, 1983, received by Region 9 May 16, 1983.

Statement of John R. Ycedro, undated, hand-delivered to Region 9 at public meeting in Globe on May 16, 1983.

*Letter from Mr. and Mrs. James Iannello, dated May 10, 1983, received by Region 9 May 17, 1983.

Letter from Anthony D. Terry representing E. F. Doyle, dated May 17, 1983, received by Region 9 May 19, 1983.

*Letter from Carroll E. and Carolyn G. Hounshell, undated received by Region 9 May 19, 1983.

*Letter from Dr. James Sarn, Director, Arizona Department of Health Services, dated May 18, 1983, received by Region 9 May 20, 1983.

*Letter from John and Elaine Insalaco, dated May 18, 1983, received by Region 9 May 20, 1983.

*Letter from Verne and Irene Burrington, dated May 18, 1983, received by Region 9 May 20, 1983.

*Letter from Mr. and Mrs. Robert L. Dobbs, dated May 18, 1983, received by Region 9 May 20, 1983.

**Letter from Hutch K. Noline, Peridot District Councilman, San Carlos Apache Tribe, dated May 20, 1983, received by Region 9 May 23, 1983.

*Letter from Kevin T. Tehan, Sparks and Siler, P.C., dated May 20, 1983, received by Region 9 May 23, 1983.

*Letter from Orval L. Williams, dated May 17, 1983, received by Region 9 May 23, 1983.

Letter from H. Wesley Peirce, dated May 20, 1983, received by Region 9 May 23, 1983.

*Letter from Abe M. Rodriguez, dated May 20, 1983, received by Region 9 May 23, 1983.

Letter from Bonnie C. Gordon, Harrison and Lerch, P.C., dated May 20, 1983, received by Region 9 May 23, 1983.

*Letter from Catherine Scott, dated May 20, 1983, received by Region 9 May 23, 1983.

*Letter from Dorothy O. Gooch, dated May 19, 1983, received by Region 9 May 23, 1983.

**Letter from Alvin W. Gerhardt, dated May 20, 1983, received by Region 9 May 24, 1983.

**Letter from Frances F. Gerhardt, dated May 20, 1983, received by Region 9 May 24, 1983.

**Letter from Marion N. Wood, dated May 18, 1983, received by Region 9 May 25, 1983.

Oral Statements made at the Public Meeting held in Globe May 16, 1983:

**James J. Querns

**Alvin Gerhardt

**Mike Wood

Jacqueline F. Querns

**Earl Jackson

Jack Neal

**Geraldine Neal

Eubley Clark

*Supports permanent relocation of Mountain View Mobile Home Estates residents.

**Generally believes that Gila Country chrysotile asbestos is not hazardous, does not support a remedial action at Mountain View Mobile Home Estates, and/or requests study of Gila County asbestos to determine if it does cause adverse health effects.